

CHAPTER 16
IOWA SCHOOL FOR THE DEAF

[Prior to 4/20/88, Regents, Board of (720)]

681—16.1(262) Organization.

16.1(1) *Statement of mission.* The mission of the Iowa School for the Deaf (ISD) has two primary components: to provide direct educational services to hearing-impaired children and youth of the state of Iowa and to serve a leadership and resource role in statewide efforts to meet the needs of the hearing impaired. In fulfilling its stated mission, ISD will coordinate its efforts with all appropriate state agencies, area education agencies, and local education agencies. Such coordination will be accomplished in the spirit of cooperation reflected in the agreements with these agencies.

Consistent with various sections of the Iowa Code, the educational mission of the Iowa School for the Deaf is to provide an appropriate individual education program for hearing-impaired children and youth who require the comprehensive programs provided by the school.

The educational programs of the Iowa School for the Deaf will be consistent with the philosophy, reflected in federal and state legislation, that handicapped and nonhandicapped children and youth be educated together to the greatest extent possible. Thus, ISD assumes responsibility for providing an education for those hearing-impaired children and youth, including those with additional handicaps, for whom the comprehensive educational programs of the school are most appropriate.

The educational programs of the Iowa School for the Deaf are based on the premise that the school exists to serve its students by providing a learning environment which, to the greatest extent possible, maximizes each child's potential to become a contributing member of society by enhancing the development of communication, knowledge, self-realization, human relationships, economic independence, and a sense of civic and social responsibility. The child-centered programs include learning activities and experiences that appropriately and specifically meet the needs of each child.

The scope of the educational program includes provisions for the hearing impaired from infancy through secondary education. Program formats include full-time residential, day school, summer and other short-term residential programs to meet specific needs, vocational, and on- and off-campus individual assessment and evaluation services. For residential students, activities and experiences on a 24-hour basis, not restricted to the traditional academic day, are an integral part of the program.

The Iowa School for the Deaf also serves as a state resource and dissemination center for education of the hearing impaired. In this role, the school has a central and vital mission in the statewide education of the hearing impaired and provides a resource center for educators, related field professionals, parents, the deaf community, and all interested citizens. Such a role affords the opportunity for the community-at-large to draw upon the specialized programs and services available at ISD.

The Iowa School for the Deaf will make its special resources available to regent universities, area education agencies, local education agencies, and other public and private agencies. Resource services would provide support in such activities as:

1. Assessment, counseling, and educational planning for hearing-impaired children and youth;
2. Programs for development of specialized communications skills;
3. Parent education;
4. Extended educational programming for hearing-impaired adults;
5. Research;
6. Preservice and continuing education of teachers and related professionals;
7. Curriculum development and evaluation; and
8. Development and dissemination of instructional materials and technology.

Within the scope of the school's mission, future programs will be determined by the ongoing evaluation of existing programs and an analysis of developing needs. Programs will be added, curtailed, or eliminated based on assessment of need and the most effective use of resources. The school remains

flexible so as to respond quickly and effectively to unmet needs of hearing-impaired children and youth of Iowa.

16.1(2) *Officers.* The school has two statutory officers: the superintendent and the secretary-treasurer.

The superintendent is the chief administrative officer of the school and has such authority and duties as delegated by the board of regents.

The secretary-treasurer is responsible for nonfaculty personnel, investments, financial transactions, financial records, maintenance of facilities and related services as delegated by the superintendent. The secretary-treasurer is also designated as business manager.

The superintendent has nominated and the board of regents has appointed a director of education and four principals.

The director of education is the chief administrative officer of the instructional departments. The principal of each department is the administrative officer of the department.

16.1(3) *Organization.* The academic mission of the school is principally carried out through its four departments: elementary, upper elementary, high school, and vocational.

16.1(4) *Communications.* Written and personal inquiry, submissions and requests should be addressed to the Office of the Superintendent, Iowa School for the Deaf, 1600 South Highway 275, Council Bluffs, Iowa 51503-7898, or the office of the Board of Regents, Old Historical Building, Des Moines, Iowa 50319.

Generally, inquiries, submissions and requests by the public may be submitted by informal letter. However, application for some purposes is to be made on a specified form. A list of the forms, general description, and the address where they may be obtained are found at 16.6(262).

16.1(5) *School operations manual.* The school operations manual contains the policies governing the internal administrative operation of the school. It is available for public inspection in the school's business office, superintendent's office, and in the office of the state board of regents.

This rule is intended to implement Iowa Code section 270.3.

681—16.2(262) *Petition regarding rules.* A petition for the promulgation, amendment, or repeal of a rule by the school may be submitted to the office of the superintendent by any person. Each such petition, which may be in the form of a letter, shall set forth the text of the rule or proposed rule in question and, if an amendment is proposed, the rule as it would read with the proposed amendment, together with a concise statement of the reasons supporting the granting of the petition. The school will notify the petitioner of its disposition of the petition within 60 days after receipt of the petition.

681—16.3(262) *Petition for declaratory ruling.* If there is a disagreement regarding the interpretation or applicability of a statutory provision, school or board of regents rule or other school or board statement of law or policy, decision or order between a principal, the head of a major administrative unit or their respective designees and a person whose rights or interests are affected by such statute, rule, decision or order, the person so affected may petition the school for a declaratory ruling.

Each such petition shall describe the facts or circumstances giving rise to the request for a ruling, shall contain the text or a citation to the statute, rule, statement of law or policy, decision or order to which it relates, and shall specify the action request. The school has discretion to determine that a declaratory ruling is inappropriate under the circumstances presented by the petition. The school will notify the petitioner in writing of its disposition of the petition within 60 days after the petition is received.

681—16.4(262) Rule adoption—opportunity for oral presentation. When a timely request for oral presentation regarding the proposed adoption of a rule is presented to the school pursuant to Iowa Code section 17A.4 the superintendent will set a time and place for such presentation; the time will be not less than 20 days after notice of such opportunity is published in the Iowa Administrative Bulletin. The notice will state the time when, the person before whom, the subject matter of, and the location where such presentation may be made.

681—16.5(262) Contested cases.

16.5(1) *Informal settlement.* Parties are encouraged to request informal settlement of a controversy which could culminate in a contested case as defined in Iowa Code section 17A.2. The request should be made by letter setting forth a concise statement of the circumstances given to the controversy, the text of or citation to any applicable law, rule or decision, and a statement of the settlement proposed.

The school will advise the party of its disposition of the request within 30 days. If the school determines that a conference is appropriate, the party will be notified when, where, and with whom such a conference is to be held. The terms of any informal settlement agreed to by the parties shall be embodied in a written stipulation.

16.5(2) *Administrative law judges.* The hearing in a contested case, for which an evidentiary hearing is required by Iowa Code section 17A.11, shall be conducted by an administrative law judge appointed by the board of regents.

16.5(3) *Procedure.* The procedures followed in hearings conducted pursuant to 16.5(2) shall be those set forth in Iowa Code sections 17A.12 to 17A.17, except that notice of the hearing may be provided by first-class mail.

16.5(4) *Subpoenas; administration of oath.* Subpoenas for the production of books, papers, records, and real evidence may be issued pursuant to Iowa Code section 17A.13 by the superintendent or the superintendent's designee prior to the commencement of a contested case proceeding. After the commencement of such proceeding, the administrative law judge appointed pursuant to 16.5(2) shall have the authority to administer oaths and issue subpoenas as provided in section 17A.13.

16.5(5) *Decision and appeal.* The administrative law judge shall render a proposed decision in a contested case in writing, which shall be delivered to all parties by first-class mail. The proposed decision shall become the final decision of the school 15 days after mailing of the proposed decision, unless prior to that time the school or any other party submits an appeal from, or the superintendent requests a review of, the proposed decision. Notice of an appeal from, or the superintendent's request for review of, a proposed decision shall be mailed to all parties by the school.

Within 15 days after mailing of a notice of appeal or of a request for review, any party may submit to the superintendent exceptions to and a brief in support of or opposition to the proposed decision, copies of which exceptions or brief shall be mailed by the submitting party to all other parties to the proceeding. The superintendent shall notify the parties if the superintendent deems oral arguments by the parties to be appropriate. The superintendent shall render a decision in writing within 30 days of receipt of the exceptions and briefs or of the close of oral hearings, whichever is later. The decision of the superintendent becomes final 15 days after mailing unless prior to that time a party appeals to the board of regents.

16.5(6) *Appeals to the board of regents.* Appeals from a decision in a contested case rendered by the superintendent under 16.5(5) may be taken to the board of regents in the manner specified in 681—subrule 11.5(3).

681—16.6(262) Forms. The school uses the following forms in its relations with the public. They are available from the superintendent's office, Iowa School for the Deaf, Council Bluffs, Iowa 51503-7898.

Application for student admission

Gymnastics—waiver of liability for public participants

Employment—application for employment

This rule is intended to implement Iowa Code section 262.7.

681—16.7(262) Contracting authority. The board of regents has delegated to the superintendent authority to make contracts and agreements as specified in 681—subrule 8.2(3). The superintendent has delegated authority for signing such agreements and contracts to the business manager in all cases except the following:

1. Employment matters involving directors, principals, and faculty are reserved to the office of the superintendent.

2. Application for grants for educational development and research from all sources are signed by the superintendent.

3. Supplies, equipment, and services to be ordered from sources outside the school in compliance with board of regents rules, 681—Chapter 8, are purchased only by means of purchase orders or purchase contracts approved and signed by the business manager and based on requisitions submitted to the business manager.

681—16.8(262) Transportation. Transportation from the institution to the residence of the parents or guardians and return to the institution for children enrolled in the Iowa School for the Deaf shall be reimbursed or provided as follows:

1. Transportation or transportation reimbursement at a rate to be established annually by the state board of regents shall be provided to the parents or guardians of children who reside in the Council Bluffs area but do not live at the school and travel daily to the school.

2. Not more than 11 trips per year shall be provided by chartered bus for children who attend the school and live outside the Council Bluffs area.

This rule is intended to implement Iowa Code section 262.7.

681—16.9(262) General rules.

16.9(1) Salespersons or agents for any product, proposition, or cause are prohibited from soliciting employees or students in any building or part of the school property, except with the permission of the superintendent.

16.9(2) Permission is given by the superintendent for the solicitation of employees by charitable organizations under all of the following circumstances:

a. The charitable organization presents documentation of its tax-exempt status as provided in Section 501(C)(3) of the Internal Revenue Code.

b. The solicitation is conducted through the school's campus mail system or once a year through an on-campus coordinated campaign of all eligible organizations meeting the conditions and giving written notice to the school of the desire to participate at least 120 days prior to the campaign period.

c. The organization may be expected to pay the administrative and out-of-pocket costs associated with using the campus mail system or other school facilities.

d. The solicitation by any one charitable organization may occur once in any calendar year.

e. No solicitation using the school's facilities may occur except as described above; however, any eligible charitable organization may arrange to conduct information sessions at which no solicitation occurs, at times and places and in a manner the school deems reasonable.

f. Any eligible charitable organization acting pursuant to the authority of this rule may also make use of the payroll deduction system described in Iowa Code sections 70A.14 and 70A.15, if qualified under the terms of those provisions.

This rule is intended to implement Iowa Code sections 70A.14, 70A.15, and 262.9.

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